State of California, State Water Resources Control Board Division of Water Rights

P.O. Box 2000, Sacramento, CA 95812-2000

Info: (916) 341-5300, FAX: (916) 341-5400 Web: http://waterrights.ca.gov

SUPPLEMENTAL STATEMENT OF WATER DIVERSION AND USE

If the information below is inaccurate, please line it out in red and provide current information. Notify this office if ownership or address changes occur during the coming year.

Please Complete and Return this Form by JULY 1, 2007 Primary Owner: BERTHA WRIGHT BERTILLION TRUST Smart Family Trust PRIMARY CONTACT OR AGENT FOR MAIL & REPORTING STATEMENT NO.: S009141 CONTACT PHONE NO.: (916) 323 - 1950 **ELIZABETH BERTILLION SMART** 1200 44TH ST SACRAMENTO, CA 95819 WOODRUFF CREEK Source Name: NORTH YUBA RIVER **Tributary To:** Year of First Use: Sierra County: **Diversion Within:** 1/4 of NW1/4 Section 8 T19N, R10E, MB&M Parcel Number: A. Water is Used Under: Riparian claim_ V _Pre-1914 right ___/_ Other (explain): Year of First Use: (Please provide if missing above) В. Amount of Use: Enter the amount (or the approximate amount) of water used each month, using the table below. Acre-feet (AF) Wkufur Amounts below are in: Gallons William Other Total Year Nov Dec Jan Feh Mar May June July Sept Annual 2004 2005 2006 D. Purpose of Use - Specify number of acres irrigated, stock watered, persons served, etc. Irrigation Stockwatering Other (specify) Changes in Method of Diversion - Describe any changes in your project since your previous statement was filed. (New pump, enlarged diversion dam, location of diversion, etc.) Please answer only those questions below which are applicable to your project. Conservation of water ↑ Are you now employing water conservation efforts? YES NO ___ Describe any water conservation efforts you have initiated: If you are claiming credit for water conservation under section 1011 of the Water Code for your claimed pre-1914 appropriative right, please show the amount of water conserved: \bigwedge / \bigwedge

S009141

2004, 2005, 2006

I have data to support the above surface water use reductions due to conservation efforts. YES _____ NO ____

_____(AF/MG) Year _____(AF/MG) Year _____(AF/MG)

_____(AF/MG) Year _____ (AF/MG) Year _____ (AF/MG)

Reduction in Diversions:

Reduction in consumptive use:

Year _____

a	Are you i a degree	now or have you been using reclaim e, which unreasonably affects such v	ned water from a wastewater treatm water for other beneficial uses? YE	nent facility, desalination t	acility or water polluted by
b		e claiming credit due to the substitul ative right under section 1010 of the sed:			
	Amount	of reduced diversion:			
		(AF/MG) Ye			
	State the	type of substitute water supply:			
	Amount of Year	of substitute water supply used: (AF/MG) Ye	ear (AF/M	G) Year	(AF/MG)
	-2	ata to support the above surface wa			
3. C		se of surface water and groundwate			
a		now using groundwater in lieu of su			
		e claiming credit due to the substitut			st under postion 1011 E of
b		e claiming credit due to the substitute ease show the amounts of groundw		e-1914 appropriative figr	it under section 1011,5 of
	Year	(AF/MG) Ye	ear (AF/M	G) Year	(AF/MG)
unde	rstand that it	may be necessary to document the	water savings claimed in "F" abov	e if credit under Water Co	ode sections 1010 and 10
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GENERAL INFORMATION PERTAINING TO WATER RIGHTS IN CALIFORNIA

There are two principal types of surface water rights in California. They are riparian and appropriative rights.

A <u>riparian right</u> enables an owner of land bordering a natural lake or stream to take and use water on his riparian land. Riparian land must be in the same watershed as the water source and must never have been severed from the sources of supply by an intervening parcel without reservation of the riparian right to the severed parcel. Generally, a riparian water user must share the water supply with other riparian users. Riparian rights may be used to divert the natural flow of a stream but may not be used to store water for later use or to divert water which originates in a different watershed, water previously stored by others, return flows from use of groundwater, or other "foreign" water to the natural stream system.

An <u>appropriative right</u> is required for use of water on non-riparian land and for storage of water. Generally, appropriative rights may be exercised only when there is a surplus not needed by riparian water users. Since 1914, new appropriators have been required to obtain a permit and license from the State. Appropriative rights can be granted to waters "foreign" to the natural stream system.

Statements of Water Diversion and Use must be filed by riparian and pre-1914 appropriative water users as set forth in Water Code section 5100 with specific exceptions. The filing of a statement (1) provides a record of water use, (2) enables the State to notify such users if someone proposes a new appropriation upstream from their diversions, and (3) assists the State to determine if additional water is available for future appropriators.

The above discussion is provided for general information. For more specific information concerning water rights, please contact an attorney or write to this office. We have several pamphlets available. They include: (1) Statements of Water Diversion and Use, (2) Information Pertaining to Water Rights in California, and (3) Appropriation of Water in California.

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SUPPLEMENTAL STATEMENT OF WATER DIVERSION AND USE FORM

S009141

2006, 2007, 2008

Notifying the Division of Water Rights of changes is the responsibility of the Division of Water Rights of changes is the responsibility of the Please Complete and Return This Formatty Contact: IZABETH BERTILLION SMART 00 44TH ST CRAMENTO, CA 95819 Phone No. K No. mail Address: Agent: Address: Address: Phone No. Fax No. E-mail Address: Assessor Parcel Number of the Diversion site: A. Water is Used Under: Riparian claim Pre-1914 claim Court Decree No.: Other (explain): B. Year of First Use: (Please provide if missing in the Division of Rights database (ewrims)) C. Rate of Diversion: The rate of diversion of water for each month used and entered in the table below is shown in units of: Gallons per minute (gpm) Gallons per day (gpd) Cubic feet per second (cfs) Year Jan Feb Mar Apr May June July Aug Sept Oct Nov Dec Quantity of Water Used: The quantity of water used each month and entered in the table below is shown in units of: Acre-feet (AF) Year Jan Feb Mar Apr May June July Aug Sept Oct Nov Dec Well Time Division of Water used each month and entered in the table below is shown in units of: Acre-feet (AF) Year Jan Feb Mar Apr May June July Aug Sept Oct Nov Dec				evvv,											
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D. Quantity of Water Used: The quantity of water used each month and entered in the table below is shown in units of: Gallons Million Gallons (MG) Acre-feet (AF)															
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	Total Annual	Dec	Nov	Oct	Sept		Aug	July	June	May	Apr	Mar	Feb	Jan	Year
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2007															2007
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E. <u>Purpose of Use</u> – Specify number of acres irrigated, stock watered, persons served, etc.	<u>Purpose of Use</u> – Specify number of acres irrigated, stock watered, persons served, etc.														
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Parcel Number(s) of Place of Use:												Use:	f Place of	mber(s) o	Parcel Nu
F. Changes in Method of Diversion – Describe any changes in your project since your previous statement was filed.												and the second of the second			
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(New pump, enlarged diversion dam, location of diversion, etc.)				was filed											Changes
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(New pump, enlarged diversion dam, location of diversion, etc.)				was filed					c.)	liversion, e	cation of o	n dam, lo	ed diversio	p, enlarg	Changes (New pum

NO

Are you now employing water conservation efforts? YES

Describe any water conservation efforts you have initiated:

	Reduction in consump Year	tive use: (AF/MG) Year	(AF/MG) Year	(AF/MG)
	I have data to support	the above surface water use reduct	ions due to conservation efforts. YES	NO
2. Wa	ater quality and wastewal	ter reclamation		
a.	Are you now or have y a degree which unreas	ou been using reclaimed water fron sonably affects such water for other	n a wastewater treatment facility, desalina beneficial uses? YES NO	ation facility or water polluted by waste to
b.	If you are claiming cre appropriative right und supply used:	dit due to the substitution of reclaim ler section 1010 of the Water Code,	ed water, desalinated water or polluted w please show amounts of reduced diversi	rater in lieu of a claimed pre-1914 ons and amounts of substitute water
	Amount of reduced div	/ersion: (AF/MG) Year	(AF/MG) Year	(AF/MG)
	State the type of subs	titute water supply:		
	Amount of substitute v Year I have data to support	(AE/MG) Vear	(AF/MG) Yeartions due to the use of a substitute water	supply. YES NO
3. Cc	onjunctive use of surface	water and groundwater		
a.	Are you now using gro	oundwater in lieu of surface water?	YES NO	
b.			water for a claimed pre-1914 appropriation (AF/MG) Year tions due to the use of groundwater. YES	re right under section 1011.5 of the Water(AF/MG) SNO
sought	in the future.	essary to document the water saving this report is true to the best of my k	gs claimed in "F" above if credit under Wa	tter Code sections 1010 and 1011 is
DATE:	June 20.	A \ \ \ .		, California
	has her I W P LI WI have a	Tabetto Registration (middle	e initial) Sua (last n	etzt- ame)
COMP	ANY NAME:			
ITEM	If there is insuf CONTINUA		se use the space provided below or add a	an attachment sheet.
		GENERAL INFORMATION PER	RTAINING TO WATER RIGHTS IN CALIF rights in California. They are riparian an	FORNIA

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